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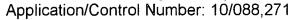
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,271	03/11/2002	Hiroshi Takagi	3404/OK343USO	8814
	7590 04/17/2003			
Peter S Schechter			EXAMINER	
Darby & Darb 805 Third Ave	enue		GHAFOORIAN, ROZ	
New York, NY 10022-7513			ART UNIT	PAPER NUMBER
			3763	1
			DATE MAILED: 04/17/2003	L

Please find below and/or attached an Office communication concerning this application or proceeding.

- b)						
J. Company of the com	Application No.	Applicant(s)				
	10/088,271	TAKAGI ET AL.				
Office Action Summary	Examiner	Art Unit				
	Roz Ghafoorian	3763				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with th	e correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute - Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). Status	36(a). In no event, however, may a reply by within the statutory minimum of thirty (30) will apply and will expire SIX (6) MONTHS for acuse the application to become ABANDC	e timely filed days will be considered timely. rom the mailing date of this communication. NED (35 U.S.C. § 133).				
1) Responsive to communication(s) filed on 12.	<u>luly 2001</u> .					
2a) ☐ This action is FINAL . 2b) ☑ Th	is action is non-final.					
Since this application is in condition for allows closed in accordance with the practice under Disposition of Claims						
4) Claim(s) 1-7 is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-7</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/or	r election requirement.					
Application Papers	_					
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accept		vanala a a				
Applicant may not request that any objection to the						
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.						
12) The oath or declaration is objected to by the Ex						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. & 119	9(a)-(d) or (f)				
a)⊠ All b)□ Some * c)□ None of:	. Promy and or or or or or or	(4) (4) (7)				
1. Certified copies of the priority documents	s have been received.					
2. Certified copies of the priority documents	s have been received in Applic	ation No				
 3. Copies of the certified copies of the prior application from the International But * See the attached detailed Office action for a list 	reau (PCT Rule 17.2(a)).	Ç				
14) ☐ Acknowledgment is made of a claim for domestic	•					
a) ☐ The translation of the foreign language pro 15)☐ Acknowledgment is made of a claim for domesti	visional application has been r	eceived.				
Attachment(s)	30					
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3- 	5) Notice of Inform	ary (PTO-413) Paper No(s) al Patent Application (PTO-152)				





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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 1. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No.5520654 to Wahlberg.

Wahlberg teaches a metallic inner needle which pierces a skin and a soft outer needle, a holder sleeve 2 having a retracting mechanism which can hold the inner needle after a puncture, form proximal end, the retracting mechanism includes an urging means 22 for urging the inner needle e to a side opposite to the outer needle, an actuator 43 which moves together with the inner needle when it is withdrawn, the puncture position retainer has a puncture position engagement portion whereby the actuator is engaged with the holder sleeve at a position on an outer needle side.

2. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No.6537253 B1 to Haindl.

Haindl teaches a metallic inner needle which pierces a skin and a soft outer needle, a holder sleeve 7 having a retracting mechanism which can hold the inner

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needle after a puncture, form proximal end, the retracting mechanism includes an urging means 31 for urging the inner needle e to a side opposite to the outer needle, an actuator 6 which moves together with the inner needle when it is withdrawn, the puncture position retainer has a puncture position engagement portion whereby the actuator is engaged with the holder sleeve at a position on an outer needle side.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roz Ghafoorian whose telephone number is 703-305-2336. The examiner can normally be reached on 8:30am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on 703-308-3552. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

RG April 7, 2003

> MICHAEL J. HAYES PRIMARY EXAMINER

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